

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CR. NO. 3:05-cr-141-MEF
	)	
ROY TERRY	)	
	)	

**GOVERNMENT'S RESPONSE TO ROY TERRY'S MOTION  
TO POSTPONE REPORT DATE**

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for Middle District of Alabama, and in response to the Motion to Postpone Report Date filed by the Defendant herein, the following is submitted:

In his motion, Roy Terry seeks to postpone his surrender date until March 2007, arguing that this will allow him to be helpful to the Trustee of Terry Manufacturing Company in connection with litigation pending between the Trustee and Cintas Corporation. The Government solicited the views of the Trustee's counsel, whose response is attached as Exhibit A. The Government also received, unsolicited, a letter from Cintas's counsel, which is attached as Exhibit B. Based on these responses, it would appear that the only assistance required from Mr. Terry is for him to attend his deposition. Both counsel indicate that (a) they are prepared to work with the Bureau of Prisons to schedule Mr. Terry's deposition, and (b) they cannot guarantee that the deposition would be taken before Mr. Terry's requested surrender date of March 2007. Therefore, the Government requests that the Court deny Mr. Terry's motion.

Respectfully submitted this the 12th of December, 2006.

LEURA G. CANARY  
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

George L. Beck, Jr.

Respectfully submitted,

LEURA G. CANARY  
UNITED STATES ATTORNEY

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